

Indiana University professor Sheila Suess Kennedy had [a column](#) in the *Indy Star* yesterday critiquing some of Congressman Pence's recent votes in the House.

Pence sent the following letter to the *Star* in response to Kennedy's column:

Dear Editor,

I am writing in response to an editorial that ran on your pages Thursday, September 30 that was authored by a friend of mine, Sheila Suess Kennedy.

Unfortunately, Sheila used a tactic common to the far left, namely mischaracterize and then demonize the position conservatives like me have taken. Specifically, she wrote about legislation taken up recently in the Congress that attempts to ensure that the will of the people is heard on some of the most important social issues of our time.

The Constitution of the United States begins with the phrase, "We the people..." As much as it may surprise and irritate my friends on the far left, our founding fathers saw the people of this great nation as ultimately sovereign.

While the Supreme Court was vested with plenary authority over our system of justice, that power is restrained by checks and balances to ensure the people of the United States remain sovereign.

One such check and balance was written into the Constitution in Article Three, which reads in part, "the Supreme Court shall have appellate Jurisdiction both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make."

In plain terms, the people's Congress has the express authority to remove issues from the jurisdiction of the federal courts. Over the life of our nation, Congress has limited the courts' jurisdiction in many ways.

Even the most casual observer over the past 40 years knows that activist judges, who are not elected, have been busy redefining many aspects of our national life from prayer in public places to when life begins, and are now bent on changing the definition of marriage.

As Sheila observed, I have strongly supported efforts to protect marriage and the words "under God" in our pledge by limiting the jurisdiction of the courts.

I did so because I believe, as did President Abraham Lincoln when he denounced the 5-4 decision in the Dred Scott case of 1856, that "we the people" are sovereign. Not the Supreme Court.

In challenging the Supreme Court's decision in the infamous Dred Scott case, a case that enshrined slavery in the new territories as the law of the land, President Lincoln said, "The candid citizen must confess that if the policy of the government...is to be irrevocably fixed by the decisions of the Supreme Court...the people will have ceased to be their own rulers, having

to that extent, practically resigned their government into the hands of that eminent tribunal.”

In the wake of 40 years of judicial activism that redefines everything from our ability to pray in public, the sanctity of life and the sanctity of marriage, it seems we have moved dangerously close to vesting our most cherished institutions to the “eminent tribunal.”

I know my friend Sheila, a strong supporter of civil liberties, believes that President Lincoln’s willingness to confront the proslavery decision of the Supreme Court in 1860 was Constitutional. I am just not sure why she believes that the effort of modern conservatives to challenge more recent wrong-headed pronouncements is not.

- Congressman Mike Pence